



Arizona Department of Transportation

Engineering Consultants Section

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Governor


March 30, 2001

Victor Mendez
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Director

INFORMATION BULLETIN NO. 01-04

TO: ADOT Staff
Consultants

FROM: Engineering Consultants Section 

SUBJECT: CONTRACT LANGUAGE REVISION -- PARTICIPATION BY
DISADVANTAGED BUSINESS ENTERPRISES

Please be advised that all our contract boilerplates will be revised to include the DBE Compliance Report monthly submittal requirements.

All new contracts advertised (after April 1, 2001) must include the attached contract language. Existing contracts and pending contracts (advertised prior to April 1, 2001) will not be amended to include this language.

Provided for your information is a copy of the DBE Compliance Report, as well as, the instructions to complete this form.

If you should have any questions regarding this bulletin or the contract language, please call Cathy Hegel, Engineering Consultants Section at (602) 712-7525.

For further information on the DBE Compliance Report, please call Lisa Wormington, Civil Rights Office at (602) 712-7761.

(Revised Contract Clause formerly 4.40)

4.41 PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES

The CONSULTANT is required to adhere to the commitment made to participation by ADOT certified Disadvantaged Business Enterprises (DBE) as indicated in the firms Technical Proposal or subsequently agreed to by the STATE during negotiations. The STATE, at its discretion on a case by case basis, may waive the above limitations.

The CONSULTANT must submit the DBE Compliance Report to the Civil Rights Office by the 3rd Friday of each month. The report shall indicate the amount earned by and paid to each DBE working on the project for the preceding month.

Month: _____
Year: _____

NOTES: "CONTRACT AMOUNT" reflects the contract value, without incentives.

DBE Compliance Report Directions

This report needs to be submitted for each project awarded after April 1, 2001, regardless of whether there was a DBE goal established on the project. The report must be submitted for each month the project is active. The report must be submitted to the Civil Rights Office by the 3rd Friday of the month and should indicate payments made the preceding month. The report may be faxed, mailed or e-mailed to Lisa Wormington.

STEP BY STEP DIRECTIONS:

1. On the header, please fill in the prime contractor's name at PRIME-_____; the ADOT Project # _____; the month and year being reported.
2. At DBE, fill in the names of all DBEs working on the project regardless of whether they were used to meet the goal.
3. Under Affidavit/Subcontract Amount, list the dollar value of the agreement with each DBE.
4. Under Earned Amount, list the amount each DBE has earned as the reporting month. This amount could be different than the paid amount.
5. Under Paid this Month, list the amount each DBE was paid during the reporting month. This amount may be different than the Earned Amount due to withholding retention or for other reasons.
6. Under Paid to Date, list the amount each DBE has been paid to date.
7. At Total DBE Commitment, please put the total dollar value of commitments indicated on the DBE Participation Intended Affidavit, if applicable.
8. At Percent of Commitment, please put the percentage of the original contract bid, as listed on the DBE Intended Participation Affidavit, if applicable.
9. If the DBE commitment was revised, please indicate this in the Revised and Revised Percent spaces. (All revisions must be approved by the Civil Rights Office.)
10. DBE PAID TO DATE is the amount actually paid to DBEs.
11. DBE Percent paid is the DBE PAID TO DATE divided by the Contractor Paid to Date.
12. This is the total amount the contractor has been paid to date.